

REMARKS/ARGUMENTS

Applicants have received the Office Action dated February 7, 2007 (herein after, “Office Action”), in which the Examiner: 1) rejected claims 2-12, 15-19, 24-28, 30-32, 35-40, 42, 44-47, 52-53 and 55-57 under 35 U.S.C. § 112, 1st paragraph, as allegedly failing to comply with the written description requirement; 2) rejected claims 2-12, 15-17, 24-25, 27-28, 30-32, 35-40, 44-45 and 52-57 under 35 U.S.C. § 112, 2nd paragraph, as allegedly being indefinite; and 3) rejected claims 2-28, 30-32, 35-42 and 44-62 under 35 U.S.C. § 102(a) as allegedly being anticipated by Henzinger et al. (*Measuring Index Quality using Random Walks on the Web*, hereinafter “Henzinger”). With this Response, Applicants have canceled claims 3, 10, 31 and 38, amended claims 2, 6-7, 9, 14-16, 24-25, 27-28, 30, 35, 37, 42, 44, 52-53 and 55-57, and added new claims 63-75. Based on the amendments and arguments contained herein, Applicants believe this case is in condition for allowance.

I. REJECTIONS UNDER 35 U.S.C. § 112, 1ST PARAGRAPH

Regarding the rejections of claims 2-12, 15-19, 24-28, 30-32, 35-40, 42, 44-47, 52-53 and 55-57 as allegedly not complying with the written description requirement of § 112, 1st paragraph, Applicants respectfully note that claims 4-6, 8, 11, 17-19, 26, 32, 36, 39-40 and 45-47 are not specifically addressed in the Examiner’s rejection and do not include any of the limitations specifically identified by the Examiner as allegedly not supported by the written description. For at least these reasons, Applicants respectfully submit that claims 4-6, 8, 11, 17-19, 26, 32, 36, 39-40 and 45-47 are all properly supported by the written specification, and respectfully request withdrawal of the rejections of these claims under 35 U.S.C. § 112, 1st Paragraph.

Regarding claims 2, 7, 9, 12, 15-16, 24-25, 27-28, 30, 35, 42, 52-53 and 55-57, Applicants have amended these claims, without conceding the merits of the Examiner’s rejection, in order to expedite prosecution of the subject application. The amendments delete the references to “responsive to occurrence of a random event,” “responsive to non-occurrence of a random event,” and a

“predetermined condition.” Claims 7, 9, 16, 25, 27, 35, 37, 42, 44, 53 and 55-57 have further been amended to require repeating at least some steps until a specific condition (properly supported by the specification) is met. New dependent claims 63-75 also include similar requirements. For at least these reasons, Applicants respectfully submit that claims 2, 7, 9, 12, 15-16, 24-25, 27-28, 30, 35, 42, 52-53 and 55-57, as amended, are all properly supported by the written specification, and respectfully request withdrawal of the rejections of these claims under 35 U.S.C. § 112, 1st Paragraph.

II. REJECTIONS UNDER 35 U.S.C. § 112, 2ND PARAGRAPH

Regarding the rejections of claims 2-12, 15-17, 24-25, 27-28, 30-32, 35-40, 44-45 and 52-57 as allegedly indefinite under § 112, 2nd Paragraph, Applicants respectfully note that claims 3-5, 7, 10-12, 31-32 and 39-40 are not specifically addressed in the Examiner’s rejection and do not include any of the limitations specifically identified by the Examiner as allegedly indefinite. Further, claim 54 also does not possess any of the allegedly indefinite limitations identified by the Examiner. For at least these reasons, Applicants thus respectfully submit that claims 3-5, 7, 10-12, 31-32, 39-40 and 54 are not indefinite as alleged, and respectfully request withdrawal of the rejections of these claims under 35 U.S.C. § 112, 2nd Paragraph.

Regarding claims 2, 6, 15-16, 24-25, 27-28, 30, 35, 37, 44, 53 and 55-57, Applicants have amended these claims, without conceding the merits of the Examiner’s rejection, in order to expedite prosecution of the subject application. The amendments to these claims clarify the recitation of the conditional nature of some of the required steps. For at least these reasons, Applicants respectfully submit that these claims, as amended, are not indefinite, and respectfully request withdrawal of the rejections of these claims under 35 U.S.C. § 112, 2nd Paragraph.

Regarding the rejections of claims 8, 17 and 36 as indefinite for reciting a broad range or limitation together with a narrow range or limitation within the broad range or limitation, Applicants respectfully traverse the rejection.

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Applicants respectfully note that the cited MPEP reference discusses numerical ranges. MPEP § 2173.05(c), Numerical Ranges and Amounts Limitations. Even if, arguendo, it is assumed that the cited reference is applicable, the cited section of the MPEP is entitled “Narrow and Broader Ranges in the Same Claim.” *Id.* (emphasis added). Specifically, “[a] narrower range or preferred embodiment may also be set forth in another independent claim or in a dependent claim.” *Id.* (emphasis added). Thus, it is proper for a dependent claim to have limitations with narrower ranges than the limitations of the claim upon which it depends. Regarding the citations provided by the Examiner as to the use of the term “such as” or other similar terms, Applicants respectfully note that no such language is present in any of the rejected claims. For at least these reasons, Applicants respectfully submit that the rejections of these claims are improper, and respectfully request withdrawal of the rejections.

Regarding the rejections of claim 9, the Examiner stated that “step e) is not positively recited to be occurring since preamble says that only subset of documents contains link and step (e) is performed responsive to non-occurrence of random event and selected document containing at least one link.” Office Action, p. 4. Applicants respectfully note that even if, arguendo, the preamble of claim 9, as amended, is treated as a limitation (an assertion not being made by Applicants), said preamble recites “wherein at least a subset of the documents contain a plurality of links to other documents” (emphasis added). The claim does not recite “only” a subset of documents as alleged by the Examiner. Further, the preamble of the claim does not conflict with the body of claim 9, as amended, and none of the limitations in the body of the amended claim preclude the required repetition. For at least these reasons, Applicants respectfully request withdrawal of the rejection. Claim 52 was also rejected on the same grounds, and for at least the same reasons as those presented with regard to amended claim 9, Applicants respectfully request withdrawal of the rejection of claim 52, as amended.

III. REJECTIONS UNDER 35 U.S.C. § 102(a)

Regarding the rejection of claims 2-28, 30-32, 35-42 and 44-62 as allegedly anticipated by Henzinger, Applicants have submitted with this Response a declaration from one of the Applicants and co-author of the cited reference, stating that the cited reference describes Applicants' own work. The declaration is submitted under 37 CFR 1.132 as evidence to traverse the anticipation rejection on the basis that the cited reference is Applicants' own work and does not constitute an invention "known or used by others in this country," as required under 35 U.S.C. § 102(a). See also MPEP § 2132.01. For at least these reasons, Applicants respectfully request withdrawal of the rejections of these claims under 35 U.S.C. § 102(a).

IV. AMENDMENTS TO THE SPECIFICATION

Applicants have amended the specification to correct several inadvertent typographical errors, including several incorrect references to reference numerals related to Figure 3. The amendments do not add any new matter.

V. CONCLUSION

Applicants respectfully submit that all remaining claims are in condition for allowance. In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are

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hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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